

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**LIBERTY MUTUAL FIRE
INSURANCE, As subrogee of
AQUA CHEM, INC., n/k/a CLEAVER
BROOKS, INC.,**

Plaintiff,

vs.

**BURLINGTON NORTHERN SANTA
FE RAILWAY COMPANY,**

Defendant.

Case No. 4:08CV3055

ORDER

Upon review of Defendant's Motion to Quash and Motion for Protective Order [Filing No. 18], the Court orders the following:

1. That the plaintiff's notices filed on May 14, 2008 of the depositions of C.R. Essex [Filing #13], W.R. Temple [Filing No. 14] and K.G. Stuhr [Filing No. 15] are quashed;
2. That the parties shall confer to reschedule those depositions at a time for some date after July 24, 2008, that is mutually convenient for counsel, the parties and the witnesses; and
3. That the plaintiff's Notice [Filing #16] is quashed and plaintiff should provide to defendant's counsel in writing a reasonably particular description of the 30(b)(6) representative sought to be deposed, to limit its

4. 30(b)(6) description to the applicability of the ITA and to schedule such deposition at a time that is mutually convenient for counsel, the parties and the designated witness(es).

Dated this 16th day of June, 2008.

BY THE COURT:

s/ Warren K. Urbom

United States Senior District Judge